

DETAILED ACTION

Notice to Applicant(s)

1. This office action is responsive to the amendment filed on 1/8/08. As per request, claims 1, and 12 has been amended. Thus, claims 1-14 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claim 1, line 8, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 1 recites the limitation "the correctness of the automatically" in line 1 (page 4 of the amendment), and "the two generation programs" in line 5 (page 4 of the amendment). There are insufficient antecedent basis for these limitations in the claim.

Claims 2-11 are all depended on claim 1.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 12-14, are rejected under 35 U.S.C. 102(b) as being anticipated by Murray et al. (3976272).

As per claim 12, Murray et al. disclose a Vital Computer Stationary apparatus including a computer wherein a program is loaded to control and monitor yard elements of a station system, which operate according to different rules (see the abstract; and columns 8-9, lines 20-9), wherein the control program includes a section of general procedure-oriented programs, that are applicable both to a station system structure and to state table (see columns 9-11, lines 55-24), which program is interfaced and integrated with a control and monitoring logic program, which incorporates the station system structure and the state table, and is automatically generated and checked by a section of the Vital Computer Stationary Apparatus, that may be recalled at will (see columns 16-18, lines 43-8; columns 23-24, lines 43-65; and columns 37-38, lines 19-41).

As per claim 13, Murray et al. disclose the section for generating the control and monitoring logic program constitutes a section for changing and/or updating said control and monitoring logic program (see columns 18-19, lines 10-38; and columns 39-40, lines 23-61).

As per claim 14, Murray et al. disclose the section for generating the control and monitoring logic program comprises at least two different generation programs, for generating comparable control and monitoring logic programs which are loaded, after a successful identity check, in the memory of the Vital Computer Stationary Apparatus and are interfaces with the section of general procedure-oriented programs (see columns 19-21, lines 65-14; columns 25-26, lines 38-67; and columns 30-31, lines 54-43).

5. Claims 1-11 will be allowable, if correction for the rejection 35 USC § 112 as above.

Remarks

6. Applicant's argument filed on 1/8/08 has been fully considered, upon updated search the new ground of rejection as above.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dalena Tran whose telephone number is 571-272-6968. The examiner can normally be reached on M-W (in a first week of a bi-week), and T-R (in a second week of bi-week) from 7:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi H. Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dalena Tran/
Primary Examiner, Art Unit 3664
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